



Governor Kim Reynolds
Lt. Governor Adam Gregg
San Wong, Director

JUVENILE JUSTICE ADVISORY COUNCIL

"To advocate for an effective, fair and equitable justice system for every Iowa youth."

MINUTES OF REGULAR MEETING

**Polk County River Place
2309 Euclid Avenue, Room 3A
Des Moines, IA 50310**

December 5, 2019

Present: Andrew Allen, Chair; Christy Burkhardt; Alexandra Byrnes; Felicia Carter; Hon. Susan Cox; Wayne Ford; Patrick Garcia; Stephanie Hernandez; Jeremy Kaiser; Roy Klobnak; Dan Lopez; Dave McDaniel; Alan Ostergren; Justin Pearson; Tony Reed; Jennifer Tibbetts; Jeralyn Westercamp; Doug Wolfe

Others: Chad Jensen, 5th Judicial District Juvenile Court Services; Daniel Zeno, ACLU of Iowa

Staff: Steve Michael; Dave Kuker; Scott Musel; Kathy Nesteby; Julie Rinker; Reeva Neighbors

I. Call to Order & Introductions

Andrew Allen, Chair, called the meeting to order at 10:05 am. A quorum was present.

II. Approve Minutes – Action

Roy Klobnak moved to approve the minutes from the September meeting, seconded by Alan Ostergren. The motion was unanimously approved.

III. Division & National Report

Steve Michael reported the following:

- CJJP's state budget preparations are underway. A status quo budget will be requested and includes \$140,000 for a community that has a delinquency issue.
- New Hires since September—Mindi TenNapel, Research Coordinator; Reeva Neighbors, (AmeriCorps) State of Iowa Youth Advisory Council (SIYAC) Coordinator, and Lacey Baggs, Fellow through Future Leaders in Action.
- 2020 DHR Day – February 27—Members are invited to attend at the Capitol. This is an opportunity to meet with DHR staff and legislators. Some commission/board meetings will be held.
- Justice Advisory Board (JAB)—members met in September to develop priorities. Youth waived to adult court was one of the top priorities selected.
- Juvenile Reentry—CJJP was awarded a grant which will enhance existing efforts and continue statewide expansion to group care facilities. Work will focus on family engagement and a process to provide services and support to youth upon their return home.
- Allen discussed a delinquent youth who was not eligible for Aftercare because they were in residential substance abuse treatment that is not state-funded. He asked if there was a way to change the state's Aftercare system.
- Governor's FOCUS Group on Criminal Justice Reform (Fueling Ongoing Collaboration and Uncovering Solutions)—this group is focusing on the need for more supports for reentry.

- The Governor's office is looking at ways to create a master data management system. Criminal justice data will be the first area addressed, including the Justice Data Warehouse (JDW) and the Criminal Justice Information System (CJIS). Staff have been involved and addressed concerns.

IV. Title II Juvenile Justice Youth Development Allocation

- **Council Budget Report**

Scott Musel reviewed the Council budget. \$20,000 was awarded on September 1. A balance of \$25,226.40 remains.

- **Coalition for Juvenile Justice Dues – Action**

Jeremy Kaiser moved to pay dues prior to the December 31 deadline, seconded by Dave McDaniel.

Ostergren asked for more information on CJJ. Musel provided an overview. He noted that CJJ provides training, information, and education to legislators and members on juvenile justice issues. Dave Kuker noted that CJJ provides a voice to congress and the current administration. Allen noted past discussions by the Council and that a majority of states are members. **The motion was unanimously approved.**

- **Travel/Project Request Form – Action**

Musel reported that a request form was developed for members to use when seeking conference travel or for special projects. There was consensus to use the form.

- **Coalition for Juvenile Justice Spring Conference, June 3-6, 2020 – Action**

Musel noted that two members and one staff have attended the CJJ spring conference in recent years. This request is to send two individuals—one member and one staff.

Jennifer Tibbetts moved to approve costs associated with sending two individuals to attend the CJJ spring conference, seconded by Klobnak. The motion was unanimously approved.

- **Move June 4, 2020 meeting date (conflict with CJJ Conference) – Action**

Musel explained that the June JJAC meeting conflicts with the CJJ conference. He asked members to consider changing the date of that meeting.

Tibbetts moved to change the date to June 11, seconded by Tony Reed. The motion was unanimously approved.

- **Title II Expenditures Reports, District Progress Reports, and SPEP Progress Reports**

Staff discussed expenditures by Juvenile Court Services (JCS) for each judicial district. Kuker noted that this Council had requested more information related to progress reports including dollars spent, number of youth served by gender and risk level, etc. Musel added that recidivism information for youth who received services this year will be available next year.

The following highlights discussion:

- Performance measures are established by OJJDP.

- Garcia noted that due to a shift towards community-based services, environments will be less controlled and there may be a higher re-offense rate. Resources will be needed for these youth and their families.

Kathy Nesteby reviewed a summary of results, by judicial district, for services that have been evaluated using the Standardized Program Evaluation Protocol (SPEP).

Chad Jensen asked how SPEP would fit with the Family First Prevention Services Act (FF). Nesteby responded that SPEP is specific to juvenile justice services, while the FF clearinghouse information is child welfare related and may not align with the SPEP. Due to limited resources, the current focus for the SPEP has been on provider services receiving Title II funding and those involved with the reentry project.

Doug Wolfe provided information on FF reimbursement requirements. DHS and JCS will work together to develop a plan to be submitted in early 2020.

- **NAACP Summit – Executive Committee Report**

Musel reported that the Executive Committee met on October 9 to provide approval for council and subcommittee members to attend the local NAACP Summit. An amount of \$1,500-1,600 was approved. Actual expenditures totaled less than \$600. Garcia provided a report on the conference.

V. Office of Juvenile Justice & Delinquency Prevention (OJJDP) Training, Kansas City, September 2019 Report

Michael, Musel, and Stephanie Hernandez reviewed the OJJDP mandatory training conference and breakout sessions. Musel noted that states were hoping to get answers on changes with the Juvenile Justice Reform Act. However, OJJDP asked for questions to respond to later. Mandatory training is held every one/two years.

VI. DHS Funds Transfer (House File 766) Progress

Michael provided an update on the progress of the Transfer of Juvenile Services & Funding Work Group (TJSF) and reviewed its recommendations. The group has been meeting since July and developed three subcommittees that focused on whether to transfer oversight of funding related to the Detention Home Fund, group care, and graduated sanction/court-ordered services from DHS to another entity. A report is due December 15. A conference call is scheduled to approve the final report.

VII. Recommended Bills by CJJP Sent to Governor's Office for Pre-file

Michael reported that CJJP has pre-filed two bills:

- Detention Home Fund—This bill relates to the transfer of administrative oversight from DHS to CJJP and includes \$20,000 for administrative costs. The bill also recommends a change in the reimbursement formula—providing a \$100,000 base amount to each detention center and a prorated amount for eligible costs. The base amount was recommended to maintain rural centers to keep youth close to home. The prior formula was deemed to encourage more bed days. A draft of the legislation was shared with and approved by DHS.
- Placement in detention for youth waived to adult court—This bill will align Iowa Code with recent changes/requirements by the new Juvenile Justice Reform Act.

Both bills have been sent to Governor's office. Upon approval by the Governor, the proposed legislation would be submitted as part of the Governor's bill.

Discussion—

- Ostergren recommended that the language be changed to uniformly use either 'child' or 'juvenile'.
- Kaiser suggested the effective date be changed to July 1, 2021, to align with the federal JJRA and allow detention centers and law enforcement time to develop an implementation plan.
- Members discussed how the JJRA establishes placement hearings every 30 days for youth held in a county jail in metropolitan areas and placement hearings every 45 days for youth held in a county jail in rural areas. There was consensus to simplify this through Iowa Code, making it 30 days for both metropolitan and rural areas.

Michael will discuss the above-referenced amendments with Legislative Services Agency if/when the bill proceeds.

VIII.JJAC Retreat – Where, When, Facilitator...

Musel reported that the Council will hold its Retreat in September, 2020. The purpose is to identify priority areas and objectives, review data trends, allocation, etc. for the three-year plan due in early 2021. He asked for facilitator recommendations. Allen would like to have a national expert and asked about someone from CJJ. There was consensus to hold a day and a half retreat in September. Musel will poll members for proposed dates.

IX. New Member Training – Where, When...

Musel asked for comments on holding new member training. There was consensus to hold training at the next meeting. Allen requested that training be held every time there is a new member.

X. Current Activities

A. Priority One: Effective and Promising Practices

Nestebly reviewed the status of the objectives under this priority area. After a brief discussion on programs, clearinghouse information will be added to the CJJP website and shared with members.

The Decision-making Matrix is being piloted in Polk and Johnson counties. The data will be used to validate the tool.

B. Priority Two: Mental Health, Substance Abuse, and Trauma

Allen reported on the Children's Behavioral Health State Board of which he is a member. Although the legislation passed, he was unsure of funding. The Board meets tomorrow. He will provide further details at the next meeting. He was hopeful that some budget recommendations will be supported by the Governor's office.

- **Staff Guide for Working with Problem Behaviors**

Musel reported that a request has been received to update the above guide which was last published in 2006 in conjunction with the University of Iowa. There was consensus to remove the outdated guide from the CJJP website. Further consideration related to this guide and other deliverables will be discussed at the Retreat.

C. Priority Three: Disproportionate Minority Contact

Wayne Ford discussed a recent news article in the Des Moines Register related to school behaviors, suspensions of African-American youth, and the lack of statewide data on the number of school

resource officers and lack of uniform training. Upon reading the article, Ford phoned Kuker and Allen. He asked the Council to consider taking action.

Allen noted that in the past, the Council has developed position papers. He asked what action(s) should be taken by the Council when juvenile justice issues are highlighted in the media.

The following highlights discussion:

- Possible actions include sending a letter to the Governor or a letter to the editor.
- Both subcommittees could provide expertise or guidance.
- Add this topic to the Retreat agenda for further discussion.
- Forward this topic to the Policy & Programs Subcommittee for further review.
- Identify ways to solicit more public involvement in JJAC meetings.
- Other groups are developing materials for use by juvenile court, social workers, and providers on the juvenile delinquency process. The information could be used to educate youth and families.

D. Priority Four: Female Equity

Tibbetts reported that the Iowa Task Force for Young Women continues work on its protocol publication and a related event. Members will meet in mid-January to develop an action plan for educating legislators about ITFYW priorities.

E. Priority Five: Compliance Monitoring

- **Compliance Monitoring Audit, June 2020?**

Musel reported that he has completed the monitoring process. The report is due to OJJDP by the end of February. A compliance audit will be conducted by OJJDP in June, 2020.

XI. Unfinished Business

Michael noted that information on the National Youth in Transition Database (NYTD) was included in the meeting packet. The project surveys foster youth at ages 17, 19, and 21. A report will soon be released on 19 year olds. The information is used to make system changes and improvements. The 'Talking Wall' concept is also being used with juvenile justice youth in group care settings.

- **Youth Rights & Responsibilities Handbook**

Judge Susan Cox reported that she has finished reviewing the Youth Rights & Responsibilities Handbook (YRRH). Her review incorporated related Iowa Code sections. Tibbetts suggested further discussion and review at the next meeting.

XII. New Business

There was no new business.

XIII. Adjourn

Allen asked members to give consideration to what could be done to increase public attendance.

The meeting adjourned at 3:06 p.m.

Respectfully submitted,
Julie Rinker
Administrative Secretary